

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

IN RE:	)	CHAPTER 7
	)	CASE NO. <u>03-33189-DDO</u>
GUSTAFSON, RITA ANN	)	
	)	TRUSTEE'S FINAL REPORT AND
	)	PROPOSED DISTRIBUTION
Debtor (s)	)	

The undersigned Trustee submits the following Final Report and Proposed Distribution:

1. That attached hereto as Form 1 is an accounting of the trustee's disposition of all property of the estate.

2. That attached hereto as Form 2 is an itemized statement of the trustee's receipts and disbursements showing total receipts of \$10,679.63, disbursements of \$157.84, and balance on hand of \$10,521.79. The balance on hand will remain in the estate's interest-bearing account until the date of distribution. The additional interest earned, if applicable, will be distributed pro-rata pursuant to the applicable section(s) of the Bankruptcy Code.

3. The trustee has examined all proofs of claim and all objections to such proofs have been determined by the Court or settled by the parties. The trustee has attached copies of any such orders or settlements.

4. The trustee proposes to pay the following liens, or other interests in property of the estate totaling \$\_\_\_\_\_ (not including interim disbursements reported on Form 2):

Name of	Nature of	Proposed
<u>Entity</u>	<u>Interest</u>	<u>Payment</u>

5. The maximum allowable trustee compensation is \$1,817.96. The trustee has received \$0.00 for interim compensation, and \$0.00 for reimbursement of interim expenses and requests an additional \$1,817.96 for final compensation and an additional \$16.79 for final reimbursement of expenses.

6. The trustee proposes to distribute the balance remaining after deduction of any amounts in paragraph 4 in accordance with 11 U.S.C. §726 as follows:

(a) \$4,808.77, for administrative expenses not previously disbursed, including Trustee compensation and reimbursement requested in paragraph 5, Court costs, requests by professionals, agents and committees and other expenses necessary to preserve the estate as itemized below or in Exhibit A attached hereto:

<u>Name of Entity</u>	<u>Type of Service or Expense</u>	<u>Amount Requested</u>	<u>Proposed Allowance</u>
RANDALL L. SEAYER, TRUSTEE	TRUSTEE FEES	1,817.96	1,817.96
RANDALL L. SEAYER, TRUSTEE	TRUSTEE EXPENSES	16.79	16.79
FULLER, SEAYER & RAMETTE, P.A.	TRUSTEE ATTORNEY FEES	2,939.00	2,939.00
FULLER, SEAYER & RAMETTE, P.A. *	TRUSTEE ATTORNEY EXPENSES	35.02	35.02
	Total	4,808.77	4,808.77

(b) \$0.00 for priority creditors, in the order specified in §507(a) (2)-(9), as itemized below or in Exhibit B-1 attached hereto (if wage claims are paid, attach Exhibit B-2):

<u>Name of Entity</u>	<u>Claim No.</u>	<u>Priority Class</u>	<u>Amount Claimed</u>	<u>Amount to be Paid</u>
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(c) \$5,713.02, for unsecured creditors allowed in the total amount of \$12,626.94, yielding a dividend of 45.2446911% as itemized below or in Exhibit C attached hereto:

<u>Name of Entity</u>	<u>Claim No.</u>	<u>Amount Claimed or Allowed</u>	<u>Amount to be paid</u>
FIRST EXPRESS	000001	456.71	206.64
KOHL'S DEPT STORE	000005	1,184.16	535.77
MBNA AMERICA BANK	000006	5,194.00	2,350.01
MERRIE RHEAUME	000004	701.26	317.28
US BANK/ELAN/RETAIL PAYMENT SOLUTION	000003	5,090.81	2,303.32
Total		\$12,626.94	\$5,713.02

7. The trustee's distribution of gross receipts of \$10,679.63 from liquidation of all property of the estate is summarized below:

\$	<u>1,817.96</u>	a.	Trustee Compensation
\$	<u>2,939.00</u>	b.	Fee for Attorney for Trustee
\$	<u>0.00</u>	c.	Fee for Attorney for Debtor
\$	<u>0.00</u>	d.	Other Professionals
\$	<u>209.65</u>	e.	<u>All</u> expenses, including Trustee and Court costs
\$	<u>0.00</u>	f.	Secured Creditors
\$	<u>0.00</u>	g.	Priority Creditors
\$	<u>5,713.02</u>	h.	Unsecured Creditors
\$	<u>0.00</u>	i.	Other Payments, <u>except to Debtor</u> (including interests other than secured claims and exemptions to debtors--i.e. payment of a co-owner's interest in property liquidated by trustee)
\$	<u>10,679.63</u>	j.	SUBTOTAL (sum of lines a through i)
\$	<u>0.00</u>	k.	Payments to Debtor (including payments of exemptions)
\$	<u>10,679.63</u>	l.	TOTAL DISBURSEMENTS (sum of lines j and k)

8. The undersigned trustee certifies to the Court and the United States Trustee that the trustee has faithfully and properly fulfilled the duties of the office of the trustee, that the trustee has examined all proofs of claim as appropriate under the proposed distribution, that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of the Court, and that the trustee has no agreement or understanding, expressed or implied, with anyone as to any division of fees in the above matter.

WHEREFORE, the trustee requests that the Final Report and Proposed Distribution be accepted.

Dated: June 16, 2004

/s/ Randall L. Seaver

RANDALL L. SEAVER, Trustee  
12400 PORTLAND AVENUE SOUTH  
SUITE 132  
BURNSVILLE, MN 55337  
(952) 890-0888

REVIEW BY UNITED STATES TRUSTEE

I have reviewed the trustee's Final Report and Proposed Distribution.

Dated: 7/7/04

HABBO G. FOKKENA  
UNITED STATES TRUSTEE  
Region 12

By: Mary M. Ueland

# FINAL DISTRIBUTION

Case Number: 03-33189      DDO  
Debtor Name: GUSTAFSON, RITA ANN

Page 1

Date: June 17, 2004

Claim #	Payee Name	Class	Priority	Amount	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
Beginning Balance								\$10,521.79
<b>Claim Type -</b>								
	RANDALL L. SEAVER COMPENSATION	Admin		\$1,817.96	\$0.00	\$1,817.96	\$1,817.96	\$8,703.83
	RANDALL L. SEAVER EXPENSES	Admin		\$16.79	\$0.00	\$16.79	\$16.79	\$8,687.04
<b>Subtotal For Claim Type</b>				\$1,834.75	\$0.00	\$1,834.75	\$1,834.75	
<b>Claim Type TAE - TRUSTEE ATTORNEY EXPENSES</b>								
000008	Fuller, Seaver & Ramette, P.A. *	Admin	025	\$35.02	\$0.00	\$35.02	\$35.02	\$8,652.02
<b>Subtotal For Claim Type TAE</b>				\$35.02	\$0.00	\$35.02	\$35.02	
<b>Claim Type TAF - TRUSTEE ATTORNEY FEES</b>								
000007	Fuller, Seaver & Ramette, P.A.	Admin	025	\$2,939.00	\$0.00	\$2,939.00	\$2,939.00	\$5,713.02
<b>Subtotal For Claim Type TAF</b>				\$2,939.00	\$0.00	\$2,939.00	\$2,939.00	
Subtotals For Class Administrative				100.00000 %	\$4,808.77	\$0.00	\$4,808.77	\$4,808.77
<b>Claim Type UC - UNSECURED CLAIMS</b>								
000001	FIRST EXPRESS 6004660132399852	Unsec	070	\$456.71	\$0.00	\$456.71	\$206.64	\$5,506.38
000003	US BANK/ELAN/RETAIL PAYMENT SOLUTIONS 4037 6980 6826 3581	Unsec	070	\$5,090.81	\$0.00	\$5,090.81	\$2,303.32	\$3,203.06
000004	MERRIE RHEAUME	Unsec	070	\$701.26	\$0.00	\$701.26	\$317.28	\$2,885.78
000005	KOHL'S DEPT STORE 0350911103	Unsec	070	\$1,184.16	\$0.00	\$1,184.16	\$535.77	\$2,350.01
000006	MBNA AMERICA BANK 5490350476006692	Unsec	070	\$5,194.00	\$0.00	\$5,194.00	\$2,350.01	\$0.00
<b>Subtotal For Claim Type UC</b>				\$12,626.94	\$0.00	\$12,626.94	\$5,713.02	
Subtotals For Class Unsecured				45.24469 %	\$12,626.94	\$0.00	\$12,626.94	\$5,713.02
<< Totals >>					\$17,435.71	\$0.00	\$17,435.71	\$10,521.79
								\$0.00

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1

Case No: 03-33189 DDO Judge: Dennis D. O'Brien  
Case Name: GUSTAFSON, RITA ANN

Trustee Name: RANDALL L. SEAVER

Date Filed (f) or Converted (c): 05/02/03 (f)

341(a) Meeting Date: 06/12/03

Claims Bar Date: 12/17/03

For Period Ending: 06/17/04

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. WAGES HELD AT FILING	500.00	125.00	DA	0.00	FA
2. BANK ACCOUNTS	220.00	551.59	DA	0.00	FA
3. CASH ON HAND	20.00	20.00		20.00	FA
4. 2000 FRIENDSHIP MOBILE HOME Debtor Claimed Exemption	55,000.00	0.00		0.00	FA
5. 2002 DODGE CARAVAN Lien exceeds value.	20,000.00	0.00		0.00	FA
6. JEWELRY	600.00	600.00		600.00	FA
7. INTERESTS IN INSURANCE POLICIES Debtor Claimed Exemption	0.00	0.00		0.00	FA
8. PENSION PLANS AND PROFIT SHARING	5,000.00	0.00		0.00	FA
9. HOUSEHOLD GOODS AND FURNISHINGS Debtor Claimed Exemption	3,000.00	0.00		0.00	FA
10. WEARING APPAREL Debtor Claimed Exemption	300.00	0.00		0.00	FA
11. SECURITY DEPOSITS Debtor Claimed Exemption	350.00	0.00		0.00	FA
12. LIFE INSURANCE PROCEEDS FROM SPOUSE (u)	0.00	1.00		10,050.40	FA
13. Post-Petition Interest Deposits (u)	Unknown	N/A		9.23	Unknown

	Gross Value of Remaining Assets		\$0.00	
TOTALS (Excluding Unknown Values)	\$ 84,990.00	\$ 1,297.59	\$ 10,679.63	
				(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 2

Case No: 03-33189 DDO Judge: Dennis D. O'Brien  
Case Name: GUSTAFSON, RITA ANN

Trustee Name: RANDALL L. SEAVER  
Date Filed (f) or Converted (c): 05/02/03 (f)  
341(a) Meeting Date: 06/12/03  
Claims Bar Date: 12/17/03

The Trustee obtained a turnover order for jewelry so Trustee could have it valued to determine whether to sell it to the Debtor for monies advanced by the Debtor to the Trustee. The turnover order also required the Debtor to turnover \$551.59 from her account and certain documents. She didn't comply and as a result Trustee had her discharge revoked. For these reasons, the Trustee concluded that it was appropriate to abandon the remaining unadministered assets.

Initial Projected Date of Final Report (TFR): 03/31/04      Current Projected Date of Final Report (TFR): 06/30/04

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 1

Case No: 03-33189 DDO  
Case Name: GUSTAFSON, RITA ANN

Trustee Name: RANDALL L. SEAVER  
Bank Name: NationsBank  
Account Number: \*\*\*\*\*0367 Money Market - Interest Bearing

Taxpayer ID No: \*\*\*\*\*5368  
For Period Ending: 06/17/04

Blanket Bond (per case limit): \$ 18,705,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
			BALANCE FORWARD				0.00
09/19/03	3, 6	Rita A. Thornblad-Gustafson Einar O. Gustafson 810 Southhaven Drive Mankato, MN 56001	Sale Of Estate Property General Sale Of Estate Property	1129-000	620.00		620.00
09/19/03	12	Minnesota Life Insurance Company 400 Robert Street North St. Paul, MN 55101-2098	Life insurance proceeds	1249-000	10,050.40		10,670.40
09/30/03	13	NationsBank	Interest Rate 0.200	1270-000	0.35		10,670.75
10/31/03	13	NationsBank	Interest Rate 0.200	1270-000	1.81		10,672.56
11/28/03	13	NationsBank	Interest Rate 0.200	1270-000	1.75		10,674.31
12/31/03	13	NationsBank	Interest Rate 0.100	1270-000	0.91		10,675.22
01/30/04	13	NationsBank	Interest Rate 0.100	1270-000	0.90		10,676.12
02/27/04	13	NationsBank	Interest Rate 0.100	1270-000	0.85		10,676.97
03/09/04	000101	U.S. Bankruptcy Court, Clerk 200 Warren E. Burger Federal Building 316 North Robert Street St. Paul, MN 55101	Adversary filing fee	2700-000		150.00	10,526.97
03/31/04	13	NationsBank	Interest Rate 0.100	1270-000	0.91		10,527.88
04/30/04	13	NationsBank	Interest Rate 0.100	1270-000	0.86		10,528.74
05/28/04	13	NationsBank	Interest Rate 0.100	1270-000	0.89		10,529.63
06/02/04	000102	International Sureties, Ltd. Suite 1700 210 Baronne Street New Orleans, La. 70112	Bond Premium #016018055	2300-000		7.84	10,521.79

Page Subtotals

10,679.63

157.84



FORM 2

Page: 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 03-33189 DDO  
Case Name: GUSTAFSON, RITA ANN

Trustee Name: RANDALL L. SEAYER  
Bank Name: NationsBank  
Account Number: \*\*\*\*\*0367 Money Market - Interest Bearing

Taxpayer ID No: \*\*\*\*\*5368  
For Period Ending: 06/17/04

Blanket Bond (per case limit): \$ 18,705,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	T-Code	Deposits (\$)	Disbursements (\$)	Account Balance (\$)
COLUMN TOTALS					10,679.63	157.84	10,521.79
Less: Bank Transfers					0.00	0.00	
Subtotal					10,679.63	157.84	
Less: Payments to Debtors						0.00	
Net					10,679.63	157.84	
TOTAL - ALL ACCOUNTS					NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Money Market - Interest Bearing - *****0367					10,679.63	157.84	10,521.79
					10,679.63	157.84	10,521.79

Page Subtotals 0.00 0.00

# Compensation and Expenses Worksheet

Case Number: 03-33189 DDO

Debtor: GUSTAFSON, RITA ANN

## 1. COMPUTATION OF COMPENSATION

Total disbursements to other than the debtor are:

Pursuant to 11 U.S.C. § 326, compensation is computed as follows:				\$10,679.63
		\$10,679.63	25% of First \$5,000	\$1,250.00
Less	-	\$5,000.00	(\$1,250 Maximum)	
	Balance	\$5,679.63	10% of Next \$45,000	\$567.96
Less	-	\$5,679.63	(\$4,500 Maximum)	
	Balance	\$0.00	5% of Next \$950,000	\$0.00
Less	-	\$0.00	(\$47,500 Maximum)	
	Balance	\$0.00	3% of Balance	\$0.00
TOTAL COMPENSATION CALCULATED:				\$1,817.96
Less Previously Paid Compensation:				\$0.00
TOTAL COMPENSATION REQUESTED:				\$1,817.96

## 2. TRUSTEE EXPENSES

The Trustee has incurred the following expenses:

COPY: Photocopy/Duplication Expense 42 pages @ 0.25 / page	\$10.50
POST: Postage 10 each @ 0.37 / each	\$3.70
POST: Postage 1 each @ 2.59 / each	\$2.59

TOTAL EXPENSES CALCULATED:	\$16.79
Less Previously Paid Expenses:	\$0.00
TOTAL EXPENSES REQUESTED:	\$16.79
TOTAL EXPENSES AND COMPENSATION REQUESTED:	\$1,834.75

DATED: 06/17/04

SIGNED \_\_\_\_\_

TRUSTEE: RANDALL L. SEAYER

12400 PORTLAND AVENUE SOUTH  
SUITE 132

## **Compensation and Expenses Worksheet**

**Case Number: 03-33189 DDO**

**Debtor: GUSTAFSON, RITA ANN**

**BURNSVILLE, MN 55337**